

86<sup>th</sup> Legislative Session – 2011

Committee: House Judiciary

Wednesday, February 23, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Abdallah  
P Boomgarden  
P Feinstein  
P Gibson  
P Hansen (Jon)  
P Killer  
P Kopp  
P Nelson (Stace)  
P Russell  
P Tornow  
P Turbiville  
P Gosch, Vice-Chair  
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Hunt.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 16 AND 17, 2011

Moved by: Turbiville  
Second by: Hansen (Jon)  
Action: Prevailed by voice vote.

SB 12: provide for a Visitation Grant Advisory Group.

Presented by: Terry Walter, Department of Social Services  
Proponents: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS SB 12

Moved by: Abdallah  
Second by: Hansen (Jon)  
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Turbiville, Gosch, Hunt

Voting No: Tornow

SB 13: revise certain evidentiary rules relating to the statements of children.

Presented by: Dan Todd, Department of Social Services

MOTION: DO PASS SB 13

Moved by: Russell  
Second by: Gibson  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

SB 20: remove the requirement of a prior felony conviction for a fourth and subsequent driving under the influence offenses.

Presented by: Michael Houdyshell, Department of Public Safety  
Proponents: Kelly Marnette, Hughes County States Attorney  
Paul Bachand, SD State's Attorneys Association

MOTION: DO PASS SB 20

Moved by: Gibson  
Second by: Turbiville  
Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Nelson (Stace), Russell, Tornow, Turbiville, Hunt

Voting No: Feinstein, Killer, Kopp, Gosch

SB 31: revise certain provisions regarding the expungement of arrest records.

Presented by: Marty Jackley, Attorney General  
Proponents: Paul Bachand, SD State's Attorneys Association

MOTION: DO PASS SB 31

Moved by: Turbiville  
Second by: Kopp  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 31 UNTIL MONDAY, FEBRUARY 28, 2011

Moved by: Tornow  
Second by: Nelson (Stace)  
Action: Prevailed by voice vote.

SB 32: revise the time period to update certain sex offender registration information and to require the collection of passport and professional license information for such registration purposes.

Presented by: Marty Jackley, Attorney General

MOTION: DO PASS SB 32

Moved by: Gosch  
Second by: Gibson  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

SB 36: add a tribal member who is a certified law enforcement officer to the Law Enforcement Officers Standards Commission.

Presented by: Marty Jackley, Attorney General

MOTION: DO PASS SB 36

Moved by: Gosch  
Second by: Gibson  
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Turbiville, Gosch, Hunt

Voting No: Tornow

MOTION: ADJOURN

Moved by: Gosch

Second by: Kopp

Action: Prevailed by voice vote.

Cindy Tryon  
Committee Secretary

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Roger W. Hunt, Chair